

DAC #6

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED

JUN 09 2004

OFFICE OF PETITIONS

Applicant: Donald C. Mann (as corrected)
Assignee: UltraCard, Inc.
Title: Data Storage Device, Apparatus and Method for
Using Same

Serial No.: 09/693,271 File Date: 10/20/2000

Examiner: Not Yet Assigned Art Unit: 2185

Docket No.: ULT-001-1

Date: June 3, 2004

Mail Stop Petition (Attention Examiner Cliff Congo)
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESUBMISSION OF PETITION FOR REVIVAL OF AN APPLICATION FOR
PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)

Dear Sir:

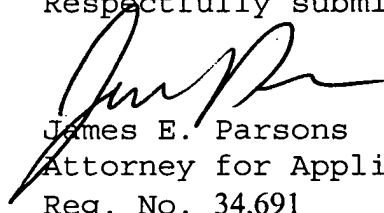
A petition to revive this abandoned patent application was mailed to the Office of Petitions on January 21, 2004. The undersigned spoke to Examiner Congo by telephone on May 25, 2004, and Examiner Congo stated that a decision on the petition has not been issued, but that **the fee associated with the petition has been charged to deposit account 50-0574** (a copy of the statement showing the charges is enclosed. Accordingly, it is assumed that the petition for the present case is misplaced at the Office.

Accordingly, enclosed herewith is a copy of all documents submitted with the original Petition, including a stamped Return Receipt Postcard showing that the Petition was received at the Office on January 23, 2004. Please issue a decision on the petition as soon as possible. **Please do not re-charge any fees**

to deposit account 50-0574 that already have been charged with respect to this petition. If, however, any appropriate fees were not previously charged, or constitute further charges not previously assessed, then such additional fees may be charged to deposit account 50-0574.

If there are any questions, please telephone the undersigned at 408 451-5906 to expedite prosecution of this case.

Respectfully submitted,



Customer No.: 022888

James E. Parsons
Attorney for Applicant
Reg. No. 34,691

I hereby certify that this correspondence is being deposited with the United States Postal Service as FIRST CLASS MAIL in an envelope addressed to: Mail Stop Petition (Attn. Ex. Cliff Congo), Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on June 3, 2004.

6/3/2004 Rebecca A. Baumann
Date Signature: Rebecca A. Baumann



**United States
Patent and
Trademark Office**

COPY



Deposit Account Statement

Requested Statement Month: January 2004
Deposit Account Number: 500574
Name: BEVER, HOFFMAN & HARMS, LLP
Attention: CARRIE REDDICK, OFFICE MANAGER
Address: 2099 GATEWAY PLACE
City: SAN JOSE
State: CA
Zip: 95110

DATE	SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
01/02	185	10099520	IDT-1704	1251	\$110.00	\$19,819.00
01/05	89	10746024	BK-00004	1001	\$770.00	\$19,049.00
01/05	90	10746024	BK-00004	1202	\$360.00	\$18,689.00
01/06	31	10746772	HER-001	2001	\$385.00	\$18,304.00
01/06	32	10746772	HER-001	2201	\$86.00	\$18,218.00
01/06	33	10746772	HER-001	2202	\$90.00	\$18,128.00
01/08	15	10746024	BK-00004	8021	\$40.00	\$18,088.00
01/08	32	E-REPLENISHMENT		9203	-\$5,000.00	\$23,088.00
01/08	140	10194703	NTI-001-1D	1201	\$344.00	\$22,744.00
01/08	142	10215802	M-12054 US	1201	\$172.00	\$22,572.00
01/08	143	10215802	M-12054 US	1202	\$324.00	\$22,248.00
01/08	144	10215802	M-12054 US	1251	\$110.00	\$22,138.00
01/08	204	09838084	IDT 1651	1252	\$420.00	\$21,718.00
01/08	377	10340492	M-12074-1C U	1501	\$1,330.00	\$20,388.00
01/08	378	10340492	M-12074-1C U	1504	\$300.00	\$20,088.00
01/08	379	10340492	M-12074-1C U	8001	\$9.00	\$20,079.00
01/09	3	09053140	SYN0101	1803	\$130.00	\$19,949.00
01/09	4	09053140	SYN0101	1504	\$300.00	\$19,649.00
01/09	46	09825724	ERT-009	2251	\$55.00	\$19,594.00
01/09	47	09825724	ERT-009	2201	\$43.00	\$19,551.00
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01/09	93	10752636	D&F-037	1202	\$72.00	\$18,709.00
01/12	45	E-REPLENISHMENT		9203	-\$5,000.00	\$23,709.00
01/13	1	PCT/US04/00349	KLA-006F1 WO	1601	\$300.00	\$23,409.00
01/13	2	PCT/US04/00349	KLA-006F1 WO	1704	\$1,818.00	\$21,591.00
01/13	3	PCT/US04/00349	KLA-006F1 WO	1701	\$961.00	\$20,630.00
01/13	4	PCT/US04/00349	KLA-006F1 WO	1703	\$198.00	\$20,432.00
01/13	5	PCT/US04/00349	KLA-006F1 WO	8007	\$20.00	\$20,412.00
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01/14	266	10056321	D&F-020	1504	\$300.00	\$19,447.00
01/14	267	10056321	D&F-020	8001	\$27.00	\$19,420.00

01/27 19	09693271	5580 413436/	2051	\$65.00	\$34,425.00
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01/27 70	10217490	SNSY-A1998-0	1202	\$108.00	\$33,652.00
01/27 71	10217490	SNSY-A1998-0	1201	\$86.00	\$33,566.00
01/27 91	10154395	TSL-109	1501	\$1,330.00	\$32,236.00
01/27 92	10154395	TSL-109	1504	\$300.00	\$31,936.00
01/27 93	10154395	TSL-109	8001	\$6.00	\$31,930.00
01/28 32	09663832	ULT-010	2453	\$665.00	\$31,265.00
01/28 33	09663832	ULT-010	1806	\$180.00	\$31,085.00
01/28 39	09663659	5573-413436/	2453	\$665.00	\$30,420.00
01/28 40	09663659	5573-413436/	1806	\$180.00	\$30,240.00
01/29 26	29152434	5603 413436	2453	\$665.00	\$29,575.00
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01/29 102	09491681	CTV-001	2402	\$165.00	\$27,555.00
01/29 105	10760024	ATH-0116	8021	\$40.00	\$27,515.00
01/29 152	PCT/US04/01860	ATH0114-1PF2	1601	\$300.00	\$27,215.00
01/29 153	PCT/US04/01860	ATH0114-1PF2	1602	\$1,000.00	\$26,215.00
01/29 154	PCT/US04/01860	ATH0114-1PF2	1701	\$961.00	\$25,254.00
01/29 155	PCT/US04/01860	ATH0114-1PF2	1703	\$385.00	\$24,869.00
01/29 156	PCT/US04/01860	ATH0114-1PF2	8007	\$60.00	\$24,809.00
01/29 257	PCT/US04/01974	UMX011-1PF1	1601	\$300.00	\$24,509.00
01/29 258	PCT/US04/01974	UMX011-1PF1	1602	\$1,000.00	\$23,509.00
01/29 259	PCT/US04/01974	UMX011-1PF1	1701	\$961.00	\$22,548.00
01/29 260	PCT/US04/01974	UMX011-1PF1	1703	\$44.00	\$22,504.00
01/29 261	PCT/US04/01974	UMX011-1PF1	8007	\$40.00	\$22,464.00
01/29 358	29153431	46475.	2502	\$240.00	\$22,224.00
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01/30 6	10013396	M-11317 US	1501	\$1,330.00	\$20,217.00
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01/30 8	10013396	M-11317 US	1460	\$130.00	\$20,084.00
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01/30 68	5548551	CAT-02798	2552	\$1,045.00	\$17,794.00
01/30 119	10765697	INFMN-003	1001	\$770.00	\$17,024.00
01/30 141	10664792	ATH-0133	2001	\$385.00	\$16,639.00
01/30 142	10664792	ATH-0133	2051	\$65.00	\$16,574.00
01/30 143	10664792	ATH-0133	2201	\$344.00	\$16,230.00
01/30 144	10664792	ATH-0133	2202	\$36.00	\$16,194.00
01/30 198	09923834	M-10966US	1252	\$420.00	\$15,774.00
01/30 310	10361123	UMX-013	2501	\$665.00	\$15,109.00
01/30 311	10361123	UMX-013	1504	\$300.00	\$14,809.00
01/30 312	10361123	UMX-013	8001	\$6.00	\$14,803.00



Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

COPY

1st Inventor: Donald C. Mann (as corrected)
Serial No.: 09/693,271 Filed: 10/20/2000
Assignee: UltraCard, Inc.
Title: "Data Storage Device, Apparatus And Method For Using Same"

Dkt. No: ULT-001-1

ENCLOSED:

- 1 page - Transmittal Form
- 1 page - Fee Transmittal (PTO/SB/17) - in duplicate
- 1 page - Petition For Revival (PTO/SB/64)
- 1 page - copy of executed Power of Attorney By Assignee... With Revocation of Prior Powers plus 3 pgs. Assignment signed by Mann & Cook, Jr.
- 1 page - Response To Missing Parts dated 10/14/2000 including copy of Notice To File Missing Parts (1 pg) & Request to correct Filing Receipt (marked-up Filing Receipt included)
- 2 pages - Supplemental Application Data Sheet
- 1 page - copy of executed Declaration For Patent Application
- 5 pages - Recordation Form Cover Sheet & copy of executed Assignment
- 2 pages - Information Disclosure Statement plus 14 pages 1449 and 186 copies of cited references return receipt Postcard

JEP :cr

Date Mailed: 1/21/2004

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

1st Inventor: Donald C. Mann (as corrected)
Serial No.: 09/693,271 Filed: 10/20/2000
Assignee: UltraCard, Inc.
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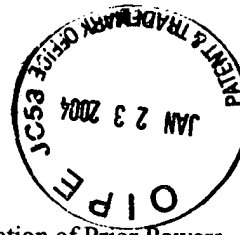
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JEP :cr

Date Mailed: 1/21/2004

RECEIVED
FEB 02 2004
BEVER, HOFFMAN & HARRIS





TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	09/693,271		
	Filing Date	10/20/2000	
	First Named Inventor	Donald C. Mann (as corrected)	
	Art Unit	2185	
	Examiner Name	Not Yet Assigned.	
Total Number of Pages in This Submission	35	Attorney Docket Number	ULT-001-1

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Petition For Revival (PTO/SB/64)	<input checked="" type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> Request To Amend Drawings	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Response	<input type="checkbox"/> Redline Drawings	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> Response To Office Action	<input checked="" type="checkbox"/> Power of Attorney, By Assignee to Exclusion of Inventor Under 37 CFR 3.71 With Revocation of Prior Powers	<input type="checkbox"/> Proprietary Information
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Statement Under 37 CFR 3.73(b)	<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Deposit Account 50-0574	<input type="checkbox"/> Request for Refund	<input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below):
<input checked="" type="checkbox"/> Information Disclosure Statement including 1449 and copies of cited references	<input type="checkbox"/> Extension of Time Request	Return-receipt postcard
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input checked="" type="checkbox"/> Application Data Sheet (Supplemental)	
<input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application	Remarks	
<input checked="" type="checkbox"/> Notice to File Missing Parts under 37 CFR 1.53(b)		
<input checked="" type="checkbox"/> copy of executed Declaration For Patent Application		

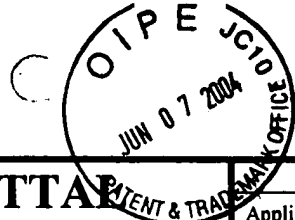
SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Firm or Individual name	James E. Parsons, Reg. No. 34,691, BEVER, HOFFMAN & HARMS, LLP (Customer No. 022888).
Signature	
Date	January 21, 2004

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name	Carrie Reddick		
Signature		Date	January 21, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



FEE TRANSMITTAL

for FY 2004

Effective 01/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 C.F.R. § 1.27

TOTAL AMOUNT OF PAYMENT (\$ 730.00)

Complete if Known

Application Number	09/693,271
Filing Date	10/20/2000
First Named Inventor	Donald C. Mann (as corrected)
Examiner Name	Not Yet Assigned
Art Unit	2185
Attorney Docket Number	ULT-001-1

METHOD OF PAYMENT (check one)

1. ☒ The Director is authorized to charge indicated fees and credit any over payments to:

Deposit Acct. No. **50-0574 (Docket No. ULT-001-1)**

Deposit Acct Name **Bever, Hoffman & Harms, LLP**

☒ Charge Any Additional Fee Required Under 37 CFR § 1.16 & 1.17

2. ☐ Payment Enclosed:

☐ Check ☐ Credit Card ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					(\$)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

	Extra Claims	Fee from below	Fee Paid
Total Claims	-20** =	x	=
Independent Claims	-3** =	x	=
Multiple Dependent		=	

**or number previously paid, if greater; For Reissues, see below

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	**Reissue independent claims over original patent
1205	18	2205	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

(\$)

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	65.00
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	665.00
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Petitions related to provisional applications	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (Specify)

* Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$ 730.00)

SUBMITTED BY

Name (Print Type) **James E. Parsons**

Registration No. **34,691**
(Attorney Agent)

Complete (if applicable)

Telephone **(408) 451-5906**

Signature

Date **January 21, 2004**

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)
ULT-001-1

First named inventor: Donald C. Mann (as corrected)

Application No.: 09/693,271

Art Unit: 2185

Filed: 10/20/2000

Examiner: Not Yet Assigned

Title: "Data Storage Device, Apparatus and Method for Using Same"

Attention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
FAX: (703) 872-9306



NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal Disclaimer with disclaimer fee – required for all utility and plant applications filed before June 8, 1995; and for all design application; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

- ☒ Small entity – fee \$ 665.00 (37 CFR 1.17(m)). Applicant claims small entity status. See 37 C.F.R. § 1.27.
- ☐ Other than small entity – fee \$ 1300.00 (37 CFR 1.17(m))

2. Reply and/or fee

A. The reply and/or fee to the above noted Office action in the form of

Response To Notice To File Missing Parts of Nonprovisional Application (mailed 12/14/2000) (identify type of reply):

- ☐ has been filed previously on
- ☒ is enclosed herewith.

B. The issue fee of \$ _____

- ☐ has been paid previously on _____
- ☐ is enclosed herewith.

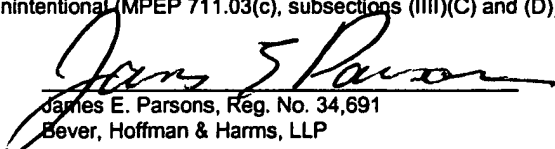
3. Terminal disclaimer with disclaimer fee

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT. The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The USPTO may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D))].

Date: January 21, 2004

Customer No. 022888


James E. Parsons, Reg. No. 34,691
Bever, Hoffman & Harms, LLP

Enclosures: ☒ Fee Payment ☒ Response To Missing Parts ☐ Reply ☐ Terminal Disclaimer Form
☐ Additional Sheets establishing unintentional delay ☒ Other: see Transmittal sheet enclosed

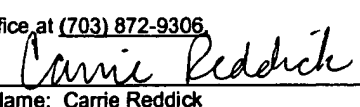
CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(A)]

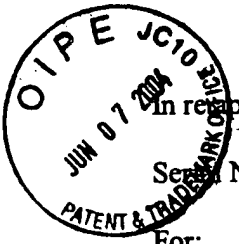
I hereby certify that this correspondence is being:

☒ deposited with the US Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to:
Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

☐ transmitted by facsimile on the date shown below to the U.S. Patent and Trademark Office at (703) 872-9306.

January 21, 2004
Date

Signature: 
Name: Carrie Reddick

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Donald C. Mann et al. (as corrected) Group No.: 2185
Serial No.: 09/693,271 Filed: 10/20/2000
For: Data Storage Device, Apparatus, and Method for Using Same

Mail Stop Petition

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTICE OF MISSING PARTS

- I. This replies to the Notice to File Missing Parts of Nonprovisional Application mailed on October 14, 2000. A copy of the Notice to File Missing Parts is enclosed.

CORRECTION OF INVENTORSHIP PURSUANT TO 37 CFR 1.48(f)(1) AND SUBMISSION OF INVENTOR DECLARATION OR OATH

- II. The application as filed included an unsigned inventor declaration that listed four inventors. Two of the four listed inventors, William Zeissner and Robert L. Parkinson, were incorrectly named. The correct inventors are Donald C. Mann and Bert D. Cook. Enclosed is the original declaration or oath for this application, as signed by Donald C. Mann and Bert D. Cook.

ENTITY STATUS

- III. Applicant is a ☐ large / ☒ small entity.

REQUEST FOR CORRECTED FILING RECEIPT

- IV. Attached is a copy of the official filing receipt for which issuance of a corrected filing receipt is respectfully requested. Inventors William Zeissner and Robert L. Parkinson were incorrectly named and should be deleted.

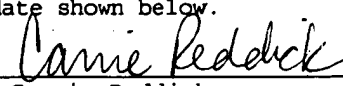
TOTAL FEE DUE

- V. The total fees due are: \$65.00. Please charge Deposit Account No. 50-0574 for these fees and any additional fees that may be due by this paper.

Customer No. 022888


James E. Parsons, Reg. No. 34,691
Telephone (408) 451-5906

I hereby certify that this correspondence is being deposited with the United States Postal Service as FIRST CLASS MAIL in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Date: January 21, 2004 Signature: 

Name: Carrie Reddick



UNITED STATES PATENT AND TRADEMARK OFFICE

COPY

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/693,271	10/20/2000	William Zeissner	5580 413436/100

Daniel J Meaney Jr Esq
PO Box 22307
Santa Barbara, CA 93121



FORMALITIES LETTER



OC000000005619384

Date Mailed: 12/14/2000

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION


FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 65.

*A copy of this notice **MUST** be returned with the reply.*


Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

COPY



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APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/693,271	10/20/2000	2185	1055	5580 413436/100	23	80	7

 Daniel J Meaney Jr Esq
 PO Box 22307
 Santa Barbara, CA 93121


FILING RECEIPT



OC000000005619383

Date Mailed: 12/14/2000

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the PTO processes the reply to the Notice, the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

~~William Zeissner, Fountain Valley, CA ;~~
~~Robert L. Parkison, Placentia, CA ;~~
 Donald C. Mann, Thousand Oaks, CA ;
 Bert D. Cook JR., Morgan Hill, CA ;

Continuing Data as Claimed by Applicant

THIS APPLN CLAIMS BENEFIT OF 60/161,302 10/23/1999

Foreign Applications

If Required, Foreign Filing License Granted 12/13/2000

** SMALL ENTITY **

Title

Data storage device, apparatus and method for using same

Preliminary Class

711